

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

M.D.,	)	CV 02-895-BR
	)	
Plaintiff,	)	ORDER
	)	
v.	)	
	)	
CORPORATION OF THE	)	
PRESIDENT OF THE CHURCH OF	)	
JESUS CHRIST OF LATTER-DAY	)	
SAINTS AND SUCCESSORS, a	)	
Utah	)	
corporation sole; CASCADE	)	
PACIFIC COUNCIL, BOY SCOUTS	)	
OF AMERICA, an Oregon	)	
public benefit corporation;	)	
and BOY SCOUTS OF AMERICA,	)	
a congressionally chartered	)	
corporation, authorized to	)	
do business in Oregon,	)	
	)	
Defendants.		

DAVID SLADER  
DAYNA CHRISTIAN  
806 S.W. Broadway Ave., Suite 400  
Portland, OR 97205  
(503) 243-6336

Attorneys for Plaintiff

**STEPHEN F. ENGLISH**

**DAVID A. ERNST**

Bullivant Houser Bailey P.C.  
888 S.W. Fifth Ave., Suite 300  
Portland, OR 97204-2089  
(503) 228-6351

Attorneys for Defendant Corporation of the President  
of the Church of Jesus Christ of Latter-Day Saints  
and Successors

**CHARLES T. SMITH**

Mitchell, Lang & Smith  
2000 One Main Place  
101 S.W. Main Street  
Portland, OR 97204  
(503) 221-1011

Attorneys for Cascade Pacific Council, Boy Scouts of  
America and Boy Scouts of America

**BROWN, Judge.**

This matter comes before the Court on Plaintiff's Motion  
to Remand (#8).

Plaintiff brought this action in Multnomah County Circuit  
Court for the State of Oregon on May 29, 2002, against  
Defendants Corporation of the President of the Church of Jesus  
Christ of Latter-Day Saints (the Church), Cascade Pacific  
Council [of the] Boy Scouts of America (Cascade Pacific), and  
Boy Scouts of America (BSA). On July 3, 2002, Defendant  
Church filed its Notice of Removal in which it asserted this  
Court has subject matter jurisdiction over this action  
pursuant to 28 U.S.C. § 1331.

On September 4, 2002, this Court issued its Opinion and Order in *B.B. v. Corporation of the President of the Church of Jesus Christ of Latter-Day Saints*, CV 02-80-BR, and granted Plaintiffs' Motion to Remand. The Church admits its arguments here "closely track" the arguments asserted in opposition to remand in *B.B.* and concedes the Court's decision in *B.B.* determines the issues in this case as well.<sup>1</sup> Plaintiff agrees *B.B.* controls and requires remand.

The Court finds the allegations in this case are substantially the same as those made by the plaintiffs in *B.B.* For the reasons set forth in *B.B.*, the Court concludes it lacks subject matter jurisdiction over this action. The Court, therefore, **GRANTS** Plaintiff's Motion to Remand (#8).

Accordingly, the Court **REMANDS** this matter to the Multnomah County Circuit Court of the State of Oregon.

IT IS SO ORDERED.

Dated this 6th day of November, 2002.

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ANNA J. BROWN  
United States District Judge

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<sup>1</sup> Defendants Cascade Pacific and BSA joined in the Church's Memorandum in Opposition to Plaintiff's Motion to Remand.